

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHELE RENAE KINDNESS,

Defendant.

CR 12–90–BLG–DLC

ORDER

Before the Court is Defendant Michele Renae Kindness’s Unopposed Motion for Early Termination of Supervised Release. (Doc. 48.) The Government does not oppose the motion. (*Id.*) Kindness’s probation officer approves of terminating supervision in her case. (*Id.*) Kindness has served nearly 36 months of her five-year term of supervision. (Doc. 49 at 3.) Although she had a handful of violations, she has remained fully compliant for the past 15 months. (*Id.* at 2.)

A court may “terminate a term of supervised release . . . at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). In determining whether to terminate a term of supervised release, courts consider the factors set forth in 18 U.S.C. § 3553(a). 18 U.S.C. § 3564.

Here, “the history and characteristics of the defendant” counsel in favor of granting Kindness’s motion. 18 U.S.C. § 3553(a)(1). Kindness’s commitment to sobriety and a law-abiding lifestyle are present in the many changes she has made in her life since her release from custody. Notably, Kindness has maintained a positive employment record and has demonstrated her commitment to playing a stable and positive role within her family. She regularly attends Alcoholics and Narcotics Anonymous meetings with her niece and exercises with her daughter. Kindness is also beginning the process of buying her first home where she can be closer to her grandchildren. (*Id.* at 4.) Having reviewed the information before it, the Court is convinced that keeping Kindness under its supervision does not serve any further rehabilitative purpose.

Accordingly, IT IS ORDERED that Kindness’s Motion (Doc. 48) is GRANTED. The term of supervised release imposed by the August 29, 2013 Judgment (Doc. 30 *as modified by* Doc. 41) is TERMINATED as of the date of this Order. Kindness is DISCHARGED from the sentence of supervised release.

DATED this 15th day of June, 2021.



Dana L. Christensen, District Judge
United States District Court